

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
SWEETWATER DUPLEXES
PDS2015-TM-5604, PDS2014-STP-14-021, PDS2015-ER-15-18-003

June 8, 2017

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion: The proposed project and any off-site improvements are located within the boundaries of the Metro-Lakeside-Jamul Segment of the County's Multiple Species Conservation Program (MSCP) Subarea Plan. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion: The proposed project and any off-site improvements related to the proposed project are within the boundaries of the Metro-Lakeside-Jamul Segment of the County's Multiple Species Conservation Program (MSCP) Subarea Plan. The project conforms with the MSCP and the Biological Mitigation Ordinance as discussed in the MSCP Conformance Statement dated April 18, 2017.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion: The project will obtain its water supply from the Helix Municipal Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffer: The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance (RPO). The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe: The project is not located within a floodway or flood plain hence the regulations under section 86.604(c) and (d) are not applicable to this site.

Steep Slopes: The average slope for the property has a less than 25 percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County RPO. A small portion of the lot around the northwest corner of the project site is within the steep slope land. However, the project is in compliance with steep slope requirements. The project design and lot configuration on steep slope lands is designed in a manner to minimize the encroachment onto steep slope lands and meets the maximum limits of encroachment under the RPO Section 86.604(e). Furthermore, the property has been substantially disturbed. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats: Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. The property does not have sensitive habitats

or species within the proposed project area. The site is entirely urban/developed and does not support native vegetation. As a Tier IV habitat, no on-site preservation is required and impacts do not require mitigation under the Biological Mitigation Ordinance. No impacts to wildlife corridors or linkages will occur as the project site does not support geological, topographic, or habitat features that would function in a corridor capacity. Furthermore, the site is not classified as a Biological Resource Core Area as it is not within the Pre-Approved Mitigation Area, is not within or adjacent to a large block or undisturbed habitat, is not mapped as having high habitat value and does not support sensitive species. Given the current site conditions and the surrounding land uses, development of this project will not hinder the formation of future preserve system.

Significant Prehistoric and Historic Sites: Based on an analysis of records (including archaeological surveys) maintained by the County and South Coastal Information Center, it has been determined that the property does not contain any archaeological and/or historical sites. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO.

V. STORMWATER ORDINANCE - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance?

YES
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NO
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NOT APPLICABLE
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Discussion: Yes, the project Storm Water Quality Management Plan (SWQMP) has been reviewed and is found to be complete and in compliance with the Watershed Protection Ordinance (WPO). As outlined in the project's SWQMP, the project will implement source control and/or site design BMP's to reduce potential pollutants, to the maximum extent practicable from entering storm water runoff.

The project has been found to be exempt from Hydromodification requirements since it is a Standard project and does not classify as a Priority Development Project (PDP).

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES
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NO
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NOT APPLICABLE
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Discussion: Even though the proposal could generate potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), the following noise mitigation measures are proposed to reduce the noise impacts to applicable limits:

The project is a Tentative Map and Site Plan for three residential duplexes with exterior group usable outdoor areas. The proposed residences are subject to the County Noise Element. All group usable and private outdoor areas are subject to 65 decibels (dBA) community noise equivalent level (CNEL) for this type of multi-family development

pursuant to the County Noise Element. Additionally, the Noise Element states *“When the noise limit for Private Usable Open Space cannot be met, then a Group Usable Open Space that meets the exterior noise level standard shall be provided”*. Private outdoor areas at Buildings 2 and 3 and the proposed tot lot located between Buildings 1 & 2 would be exposed to traffic along Sweetwater Road and SR 125 above the 65 dBA CNEL threshold. Without noise measures, noise levels would be as high 66.5 dBA CNEL at the Tot Lot. Based on the noise report, a six-foot high noise barrier is required to screen the Tot Lot area and reduce levels to below the 65 dBA CNEL requirement. This would satisfy the Noise Element requirement for noise sensitive outdoor areas associated with the project.

The project is also subject to the County Noise Ordinance, Section 36.404 which regulates the on-going and permanent noise generating activities associated with the project. Primary noise sources associated with the project were assessed and comprised of heating ventilation air conditioning (HVAC) units. The site is zoned RV with a designation of VR-10.9 which establishes a 50 dBA one-hour average sound level limit requirement. The project is designed to comply with the 50 dBA requirement. Temporary construction noise associated with grading is subject to a 75 dBA eight hour average sound level limit at occupied property lines. The occupied properties surrounding the site include receivers to the north, south, and east. No noise-sensitive receivers are located immediately to the west of the project site, as the property line is adjacent to Sweetwater Road, beyond which SR-125 is located. Noise levels from temporary construction are expected to be in compliance with the County of San Diego eight-hour average equivalent noise limit of 75 dBA for on-site activity. For any project in which construction activity will take place near occupied residential properties, noise measure/recommendations would be implemented and conditioned as part of the grading processing. Additionally, there are no impulsive types of equipment proposed and no materials processing is proposed on site. Therefore, temporary construction equipment activities are anticipated not to exceed the 75 dBA eight hour average pursuant to the County Noise Ordinance, Section 36.408 & 36.409.